IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OSCAR W. EGERVARY	:	
	:	
v.	:	**CIVIL ACTION**
	:	**No. 96-3039**
VIRGINIA YOUNG, et al.	:	

ORDER
[Entered January 17, 2002]

In the Memorandum of September 6, 2001, I stated that I intended to certify various Orders in this action for immediate appeal pursuant to 28 U.S.C. § 1292(b). I have delayed the certification at the request of the United States Attorney, to which counsel for plaintiff did not object, so that the United States Attorney could secure permission to take an appeal from the Solicitor General of the United States. I have now been informed that the Solicitor General has authorized the United States Attorney to take an appeal in this action.

AND NOW, this 17th day of January, 2002, upon consideration of the federal defendants' motion to dismiss the plaintiff's claims, the federal defendants' motion for summary judgment, and the plaintiff's responses thereto, it is herby ORDERED that the motions are DENIED for the reasons stated in the memorandum Opinion of September 6, 2001.

It is further ORDERED, for the reasons stated in the Memorandum Opinion of September 6, 2001, that the following Orders in this case are certified for immediate appeal pursuant to 28 U.S.C. § 1292(b) because they involve controlling questions of law as to which there is substantial

ground for differences of opinion and immediate appeal from them may materially advance the ultimate termination of the litigation:

(1) the instant Order;

(2) the January 21, 2000 Order denying the attorney defendants' motions for summary judgment;

(3) the August 15, 2000 Order granting summary judgment to defendant Jeffrey C. Nallin, Esquire and denying summary judgment as to liability in favor of the plaintiff;

(4) the March 6, 2001 Order granting the plaintiff leave to amend the complaint to reassert claims against the federal defendants; and

(5) the March 23, 2001 Order denying the federal defendants' motion for reconsideration.

/s/Thomas N. O'Neill, Jr., J.
THOMAS N. O'NEILL, JR., J.